

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 5:14-CV-270-F

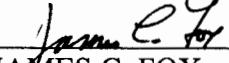
THE UNITED STATES, for the use )  
and benefit of BRUCE KNIGHT, )  
Plaintiffs, )  
v. )  
WESTERN SURETY COMPANY, )  
Defendant. )  
\_\_\_\_\_  
)

In an order filed on July 23, 2014 [DE-13], the court allowed Plaintiff's motion to file an amended complaint. The court observed Plaintiff's suggestion that the amendments may moot Defendant's pending motion to dismiss [DE-9], and directed Defendant to file a reply addressing the issue. Defendant has timely complied with the court's directive, and agrees that "Plaintiff has amended his Complaint in this action to allege sufficient facts which, if true, moot [Defendant's] Motion to Dismiss." Reply [DE-16] at 2. Accordingly, Defendant's pending motion to dismiss [DE-9] is DENIED as moot.

Defendant also has filed, with Plaintiff's consent, a motion [DE-15] seeking an extension of time to file an answer or other responsive pleading to the amended complaint, up to and including August 18, 2014. For good cause shown, the motion is ALLOWED, and Defendant is allowed up to and including August 18, 2014 in which to serve an answer or otherwise respond to the amended complaint.

SO ORDERED.

This the 6 day of August, 2014.

  
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JAMES C. FOX  
Senior United States District Judge